

- Group VI: Claims 41-53, drawn to a method of identifying a predilection to a disease;
- Group VII: Claims 54-61, drawn to a method of mitigating symptoms of a disease (lipodystrophy, obesity, diabetes, or atherosclerosis); and
- Group VIII: Claims 62-63, drawn to a method of inhibiting fat accumulation.

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**In response to this restriction requirement, Applicants elect Group I, claims 1-25.**

In addition, the Examiner alleged that the application contains claims directed to the following patentably distinct species of the claimed invention:

- (a) Claims 1-25 are generic to nucleic acids (claims 1-7, 10, 12, 13, 16, 18, 19, and 22-25), polypeptides (claims 1, 2, 8-15, 17, and 20-25), and test agents , *e.g.* .antibody , protein, nucleic acid, small molecule (claims 14-17).
- (b) Claims 26-28 are generic to human lipin 1A, mouse lipin 1A, or mouse lipin 1B; and
- (c) Claims 41-53 are generic to nucleic acids (claims 41-43, 46-51), and polypeptides (claims 41, 44-46, 52, 53).

**In response to this election of species, Applicants elect "nucleic acid" (claims 1-78, 10, 12, 13, 16, 18, 19, and 22-25). If necessary, Applicants also elect "small molecule" (claims 14-17).**

With respect to the election of species, the Examiner is respectfully reminded that if there is a generic claim, the Examiner is to include "a complete action on the merits of all the claims readable on the elected species" MPEP 809.02(c). In addition, to the extent all species fall within the limitations of a generic claim ultimately determined to be patentable the non-elected species should no longer be deemed to be withdrawn and claims to the additional non-elected species should be considered by the Examiner.

Applicants further note that the following pending claims are readable on elected species: 1-25.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3513.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Hunter", with a long horizontal flourish extending to the right.

Tom Hunter  
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